

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2013-101853-001 SE

04/30/2013

COMM. MARGARET BENNY - RCC

CLERK OF THE COURT  
K. DeSanna  
Deputy

STATE OF ARIZONA

SHERRY KAY LECKRONE

v.

ERIC PAUL MCMURRY (001)  
DOB: 08/24/1990

S E PUBLIC DEFENDER-

APO-SENTENCINGS-SE  
APPEALS-CCC  
DISPOSITION CLERK-CSC  
RFR

SUSPENSION OF SENTENCE - UNSUPERVISED PROBATION

3:15 p.m.

Courtroom SEF 201

State's Attorney:	Alethia Scipione
Defendant's Attorney:	Lance Antonson
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Count(s) 1 and 2: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 AS AMENDED - ENDANGERMENT  
Class 6 FELONY

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A.R.S. § 13-1201, 12-114.01, 28-3304, 28-3305, 28-3306, 28-3315, 13-610, 13-701, 13-702, 13-801

Date of Offense: 01/25/2012

Non Dangerous - Non Repetitive

OFFENSE: Count 2 AS AMENDED - DRIVING OR ACTUAL PHYSICAL CONTROL  
WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS

Class 1 MISDEMEANOR

A.R.S. § 28-1381(A)(2), 28-1381(A)(1), 28-1444, 28-3001, 28-3304, 28-3305, 28-3306,  
28-3315, 12-114.01, 13-604, 13-707, 13-802

Date of Offense: 01/25/2012

Non Dangerous - Non Repetitive

IT IS ORDERED suspending imposition of sentence and placing defendant on  
Unsupervised Probation to be monitored by the Adult Probation Department (APD) in  
accordance with APD's Compliance Monitoring Standards:

Count 1 Probation Term: 18 months

To begin 04/30/2013.

Count 2 Probation Term: 18 months

To begin 04/30/2013.

IT IS ORDERED that probation in Count 1 shall run concurrent with probation in Count  
2.

Conditions of probation include the following:

Condition 11 - Actively participate and cooperate in the following program(s):

Substance Abuse Counseling

MADD Victim Impact Panel Program

Condition 11 program participation to be started within 180 days of sentencing.

Condition 15: Restitution, Fines and Fees:

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PROBATION SERVICE FEE: Count 2 - \$65.00 per month, beginning 08/01/2013.

FINE: Count 2 - Total amount of \$457.50, which includes surcharges of 83%, payable \$15.00 per month beginning 08/01/2013.

Fine is to be paid to the Arizona Drug Enforcement Fund.

PRISON CONSTRUCTION & OPERATIONS FUND: Count 2 - \$500.00, payable \$15.00 per month, beginning 08/01/2013.

STATE GENERAL FUND: Count 2 - \$500.00, payable \$15.00 per month, beginning 08/01/2013.

PROBATION SURCHARGE: Count 2 - \$20.00 payable on 08/01/2013.

Count 2: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00 payable on 08/01/2013.

PENALTY ASSESSMENT - A.R.S. §12-116.04: Count 2 - \$13.00 payable on 08/01/2013.

Investigative Agency:

Gilbert Police Department

All amounts payable through the Clerk of the Superior Court.

Condition 18 - Count 2: Be incarcerated in the county jail for 1 day(s), beginning 04/30/2013 with credit for 1 day(s) served.

Not to be released until 04/30/2013.

Report to the APD within 72 hours of release from jail. Comply with all program rules.

Condition 18 - Count 2: Be incarcerated in the county jail for 9 day(s), beginning 11/01/2013 with credit for 7 day(s) served.

Report to the APD within 72 hours of release from jail. Comply with all program rules.

Condition 22: Other – Defendant shall not consume alcohol. Defendant shall submit to substance abuse / alcohol counseling / testing at the discretion of the Adult Probation

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Department. I will not drive without a valid driver's license and any required ignition interlock device.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion to Dismiss the following: Counts 3 and 4.

Count(s) 2: IT IS ORDERED remanding Defendant to the custody of the Maricopa County Sheriff.

Count(s) 2: Term #18 is a deferred jail term. If Defendant is in non-compliance with the terms of probation imposed and is ordered to serve this jail term as directed by the Adult Probation Officer, the Defendant shall self-surrender to the custody of the Maricopa County Sheriff and authorizing the Sheriff to carry out the term of incarceration as imposed by the Court.

Count(s) 1: IT IS FURTHER ORDERED Defendant be released from custody for this count only.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

Defendant has waived the preparation of a presentence report.

3:37 p.m. Matter concludes.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ COMM. MARGARET BENNY - RCC  
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)